

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bunn, et al.
SERIAL NUMBER : 10/772,076 EXAMINER : Yong D. Pak
FILING DATE : February 3, 2004 ART UNIT : 1652
FOR : COMPOSITIONS AND METHODS OF TREATING DIABETES

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

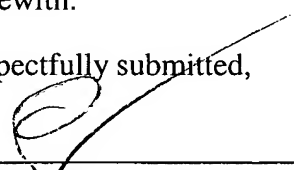
Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Copies of cited references B3; C4-21; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

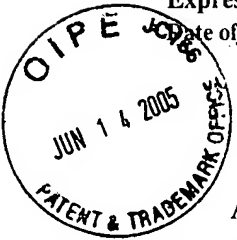
The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 18989-032. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,



Ingrid A. Beattie, Reg. No. 42,306
Cynthia A. Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
Address all written correspondence to
Customer no.: 30623
Tel: (617) 542-6000

Date: June 13, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bunn, et al.
SERIAL NUMBER : 10/772,076 EXAMINER : Yong D. Pak
FILING DATE : February 3, 2004 ART UNIT : 1652
FOR : COMPOSITIONS AND METHODS OF TREATING DIABETES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed due. By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A3 are not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Bunn et al.**
U.S.S.N.: **10/772,076**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19898-032.

Respectfully submitted,



Ingrid A Beattie, Reg. No. 42,306
Cynthia A. Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
Address all written correspondence to
Customer no.: 30623
Tel: (617) 542-6000

Date: June 13, 2005

TRA 2023019v1



Please type a plus sign (+) in this box ☐

PTO/SB (12-97)
Approved for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number		10/772,076	
				Filing Date		February 3, 2004	
				First Named Inventor		Bunn	
				Group Art Unit		1652	
				Examiner Name		Yong D. Pak	
				Attorney Docket Number		18989-032	
U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A1	3,625,214	12/07/71	Higuchi	128	260	
	*A2	4,789,734	12/06/88	Pierschbacher	530	395	
	*A3	4,925,673	05/15/90	Steiner et al.	424	455	
U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No		
	B3	WO 89/07136	WHITEHEAD INSTITUTE FOR BIOCHEMICAL RESEARCH; HOWARD HUCHES MEDICAL INSTITUTE	08/10/89			
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	C4	GENBANK Accession No. AF169803 (2000)					
	C5	GENBANK Accession No. AAF04812 (2000)					
	C6	GENBANK Accession No. XM229210					
	C7	GENBANK Accession No. XP229210					
	C8	GENBANK Accession No. P56395 (2004)					
	C9	GENBANK Accession No. P00173 (2004)					
	C10	GENBANK Accession No. P20070 (2005)					
	C11	GENBANK Accession No. AL034347 (2005)					
	C12	Gregoriadis <i>Drug Carriers Biol. Med.</i> , pp. 287-341 (Academic Press) (1979)					
	C13	Johnson et al. <i>J. Biol. Chem.</i> , 273(52):35147-35152 (1998)					
	C14	Kotani et al. <i>Anal. Biochem.</i> , 284(1):65-69 (2000)					
	C15	Kotin et al. <i>Proc. Natl. Acad. Sci. USA</i> , 87:2211-2215 (1990)					
	C16	Leiter et al. <i>Am. J. Pathol.</i> , 128(2):380-383 (1987)					
	C17	Lu et al. <i>Abstracts of the Meeting on Gene Therapy</i> , Sept. 22-26, 1992, Cold Spring Harbor Laboratory, Cold Spring Harbor, New York, Abstract , page 66.					

Express Mail No.: EV 475171185 US
Date of Deposit: June 13, 2005

Page 2 of 2
Attorney Docket No.: 18989-032

	C18	Morsy et al. <i>J. Cell. Biochem.</i> , Suppl. 17E, pp. 226, Abstract SZ109 (1993)
	C19	Rosenberg et al. <i>N. Engl. J. Med.</i> , 323(9):570-578 (1990)
	C20	Waddington et al. <i>Anal. Biochem.</i> , 292(2):234-244 (2001)
	C21	Zhu et al. <i>Proc. Natl. Acad. Sci. USA</i> , 96(26):14742-14747 (1999)

*** By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A3 are not submitted.**

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRA 1983916v1